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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.947 OF 2005
IN
SUIT NO.938 OF 2005

Hasmukhrai & Co.).. Plaintiff

Versus

M/s.Raj Tea and Co. and another).. Defendants

Mr.T.N.Daruwalla with Mr.Shailendra Bhandare and Mr.Sumeet Basu i/b.Jehangir Gulabbai & Bilimoria & Daruwalla for the Plaintiffs.

Ms.Smita Mhatre for the Defendant.

CORAM : SMT. NISHITA MHATRE, J.

DATED : 11TH JULY 2006

P.C.:

. The Plaintiff complains of the Defendants having infringed the word mark, label mark and the copyright in the artistic work of the Plaintiff. The Plaintiff is manufacturing "SOCIETY" tea. The Defendants are using the word mark "SOYALTY". The Plaintiff Company has already been granted ad-interim reliefs in terms of prayer clauses (a), (b), (c) and (d).

2. Smt.Smita Mhatre appearing for the Defendants states that she has no instructions in the matter. However, she states that she has informed the Defendants of the matter being on board pursuant to the Order dated

20th June 2006.

3. No one represents the Defendants.

4. Hence, ad-interim reliefs granted earlier confirmed.

5. Notice of Motion made absolute in terms of prayer clauses (a), (b), (c) and (d).